

sequences of the same which are known and readily available. As the terms have a well-established meaning in the art and the sequences corresponding to those genes are both known and can be obtained by one of skill in the art, the terms ushA gene and aphA gene are definite.

Concerning 5'-inosinic acid or 5'-guanylic acid, Applicants submit herewith and direct the Examiner's attention to select pages from the Merck Index and the entries corresponding to the same demonstrating that the terms 5'-inosinic acid or 5'-guanylic acid are normally used by one of skill in the art to define a nucleoside 5'-phosphate ester. This is also consistent with the description in the present specification found in the paragraph bridging pages 1 and 2.

In view of the foregoing, withdrawal of the rejections under 35 U.S.C. § 112, second paragraph is requested.

The rejection of Claims 4 and 5 under 35 U.S.C. § 102(b) over Laird et al is respectfully traversed.

Laird et al describes "E coli mutants incapable of *de novo* purine biosynthesis and also lacking other periplasmic enzymes with 5'-nucleotidase activity (ushA and aphA)." However, Laird et al do not describe an Escherichia bacteria with the ushA and aphA genes disrupted and which has an ability to produce and accumulate nucleoside 5'-phosphate esters in a medium. Therefore, Laird et al does not anticipate the present claims and as such withdrawal of this ground of rejection is requested.

The rejection of Claims 4 and 5 under 35 U.S.C. § 103(a) over Thaller et al alone or in view of Cowman et al is respectfully traversed.

Thaller et al describe the identification of the *aphA* gene and on page 197, second paragraph that the *aphA* gene is a "physiological equivalent to the *ushA* gene." Thaller et al further describe "characterization of the parameters of this enzyme toward selected substrates, along with investigations on strains carrying genetically defined *aphA* mutations, are warranted to understand the physiological role of this class of highly conserved bacterial enzymes and to ascertain the significance of the phosphotransferase activities shown by these enzymes under laboratory conditions" (see page 198, col. 1). Therefore, while Thaller et al may describe the potential usefulness of studying *aphA* by mutating the gene, Thaller et al does not describe the claimed bacterium which has both the *ushA* and *aphA* genes disrupted and which has an ability to produce and accumulate nucleoside 5'-phosphate esters in a medium. Cowman et al merely describes the cloning of the *ushA* gene but also does not describe the nucleoside 5-phosphate ester producing and accumulating property found when the *ushA* gene and *aphA* genes have been disrupted in the bacteria. Therefore, in combination, the cited prior art provides no description for the claimed invention.

As shown in Tables 6 and 7 on pages 35 and 37, respectively, disruption of both genes facilitated the production and accumulation of IMP and GMP in the medium. For the Examiner's reference Table 6 is reproduced below:

Strain	Culture time (h)	Inosine (g/L)	IMP (g/L)
I/pMWpurFKQ	48	2.3	0
	48	2.3	0
IΔushA/pMWpurFKQ	51	3.1	0
	51	2.9	0
IΔaphA/pMWpurFKQ	51	3.6	0
	51	3.2	0
IΔushAΔ/aphA/pMWpurFKQ	54	2.4	1.0
	54	2.6	0.6

The data in this Table demonstrate that only the bacterial strain deficient in both genes (row 4) was able to produce and accumulate IMP and the medium compared to either gene mutant alone (rows 2 and 3) or the parental strain (row 1). Therefore, even if one assumes that it would have been obvious to disrupt both genes, there would not have been an expectation that disrupting both genes rather than each individually would facilitate the production of nucleoside 5'-phosphate esters. This is particularly so in light Thaller et al who describes the *aphA* gene is a physiological equivalent of *ushA* gene

Therefore, the present claims are not obvious in view of the combination of Thaller et al and Cowman et al. Withdrawal of this ground of rejection is requested.

Applicants submit the present application is ready for allowance. Early notification of such allowance is kindly requested.

Respectfully submitted,

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IN THE CLAIMS

4. (Amended) [A] An isolated bacterium belonging to the genus Escherichia having an ability to produce and accumulate nucleoside 5'-phosphate ester in a medium, in which ushA gene and aphA gene are disrupted.

5. (Amended) The isolated bacterium belonging to the genus Escherichia according to Claim 4, wherein the nucleoside 5'-phosphate ester is selected from the group consisting of 5'-inosinic acid or 5'-guanylic acid.

Claims 1-3 and 6-8 are canceled.

Claims 9 and 10 are added.

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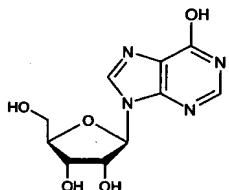
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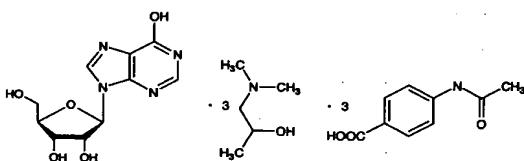
1986) pp 408-418. *Reviews:* F. H. de Jong, *Oxford Rev. Reprod. Biol.* 9, 1-53 (1987); N. Ling *et al.*, *Vitam. Horm.* (New York) 44, 1-46 (1988).

5005. Inosine. Hypoxanthine riboside; 9- β -D-ribofuranosylhypoxanthine; hypoxanthosine; Inosie; Oxiamine; Ribonosine; Trophicardyl. $C_{10}H_{12}N_4O_5$; mol wt 268.23. C 44.78%, H 4.51%, N 20.89%, O 29.82%. In meat and meat extracts, in sugar beets. Prep'd from adenosine by incubation with purified adenosine deaminase from intestine: Kalckar, *J. Biol. Chem.* 167, 445 (1947); also by the action of sodium nitrite and acetic acid on adenosine: Levene, Jacobs, *Ber.* 43, 3161 (1910); by the use of barium nitrite and H_2SO_4 : Reiff *et al.*, U.S. pat. 3,049,536 (1962 to Zellstoff-Fabrik Waldhof). Fermentation method: Motozaki *et al.*, U.S. pat. 3,111,459 (1963 to Ajinomoto). Structure: Bredereck, *Ber.* 66, 198 (1933); Z. *Physiol. Chem.* 223, 61 (1934); Gulland, Holiday, *J. Chem. Soc.* 1936, 765.



Dihydrate, long rectangular plates from water, mp 90°. Anhydrous needles from 80% alc, dec 218° (rapid heating). $[\alpha]_D^{25} = -49.2^\circ$ ($c = 0.9$ in H_2O). $[\alpha]_{D, \text{H}_2O}^{20} = -73^\circ$ ($0.5\text{ g} + 2\text{ mL }NaOH + 3\text{ mL }H_2O$). 100 ml of the satd water soln at 20° contain 1.6 g inosine. Absorption spectrum: Kalckar, loc. cit. uv max (pH 6.0): 248.5 nm ($\epsilon 12200$). Boiling with 0.1N H_2SO_4 yields hypoxanthin and D-ribose.

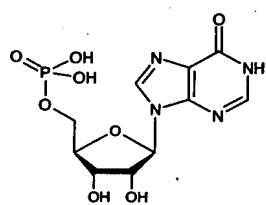
5006. Inosine Pranobex. *Inosine mono4-(acetylamino)benzoate* (salt) compd with 1-(dimethylamino)-2-propanol (1:3); inosine:dimethylaminoisopropanol acetamidobenzoate (1:3); inosiplex; methisoprinol; NP-113; NPT-10381; Aviral; Delimunin; Imunoviral; Isoprinosin; Isoprinosina; Isoprinosine; Isoviral; Modimimunal; Pranosina; Pranosine; Viruxan. $C_{25}H_{28}N_{10}O_{17}$; mol wt 1115.25. C 56.00% H 7.05%, N 12.56% O 24.39%. Immunostimulant complex formed from the *p*-acetamidobenzoate salt of dimethylaminoisopropanol and inosine in a 3:1 molar ratio. Prepn: P. Gordon, Ger. pat. 1,965,431; *idem*, U.S. pat. 3,646,007 (1971, 1972 both to Newport Pharm.). Antiviral activity: E. R. Brown, P. Gordon, *Can. J. Microbiol.* 18, 1463 (1972); R. L. Muldoon *et al.*, *Antimicrob. Ag. Chemother.* 2, 224 (1972). Stimulatory effect on T-cell function: L. Binderup, *Int. J. Immunopharmacol.* 7, 93 (1985). Pharmacology and therapeutic potential: D. M. Campoli-Richards *et al.*, *Drugs* 32, 383 (1986). Clinical immunopharmacology: A. J. Glasky, J. F. Gordon, *Cancer Detect. Prev. Suppl.* 1, 597 (1987). Clinical trial in subacute sclerosing panencephalitis (SSPE): C. E. Jones *et al.*, *Lancet* 1, 1034 (1982); G. Gascon *et al.*, *Brain Devol.* 15, 346 (1993). Clinical trial in pre-AIDS patients: C. Pedersen *et al.*, *N. Engl. J. Med.* 322, 1757 (1990). Review of efficacy in HIV infection: C. De Simone *et al.*, *Int. J. Immunopharmacol.* 13, Suppl. 1, 19-27 (1991).



Neutral water-soluble solid. LD₅₀ in mice and rats (mg/kg): > 4000 orally and i.p. (Gordon).
THERAP CAT: Immunomodulator; antiviral.

Q 5007. **Inosinic Acid.** *5'-Inosinic acid; 5-inosinic acid; muscle inosinic acid; t-inosinic acid; hypoxanthine riboside-*

5-phosphoric acid; IMP. $C_{10}H_{13}N_4O_8P$; mol wt 348.23. 34.49%, H 3.76%, N 16.09%, O 36.76%, P 8.90%. ¹⁴ from meat extract: Levene, Bass, *Nucleic Acids* (New York 1931) p 229; from dried sardines: Yoshida, Kageyama, Japan, pat. 732'56 (to Ajinomoto), *C.A.* 51, 38708 (1957). Structure: Levene, Bass, *op. cit.*, pp 187-192; Bredt, *Ber.* 66, 198 (1933); Levene, Tipson, *J. Biol. Chem.* 111, 103 (1935). Also prep'd from muscle by enzymatic deamination of muscle adenylic acid: Ostern, *Biochem. Z.* 254, 250 (1932); by hydrolysis of inosine triphosphate: Klein, *Biochem. J.* 36, 729 (1942). Studies on the enzymatic synthesis: Greenberg, *J. Biol. Chem.* 190, 611 (1951); Korn et al., *ibid.* 217, 875 (1955). Microbial fermentation method using mutant strains of *Micrococcus glutamicus*: King et al., U.S. pat. 3,232,844 (1966 to Kyowa).

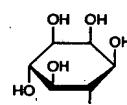


Syrup, solidifies to a glass when dried over Hg . Agreeable sour taste. $\text{pK}_1 = 2.4$; $\text{pK}_2 = 6.4$. Absorption spectrum: Kalckar, *J. Biol. Chem.* **167**, 445 (1947). Insol in water, in formic acid; very sparingly sol in alcohol, ether. On boiling with acid hydrolyzes to 1 mol H_2PO_4^- , 1 mol hypoxanthine, 1 mol D -ribose.

mol hypoxanthine, 1 mol D-ribose.
Disodium salt dihydrate, $C_{10}H_{11}N_4Na_2O_8P \cdot 2H_2O$, abu
sol in alcohol, ether, acetone; soln in water at 20° abu
g/100 ml. Kawasaki, *New Food Ind. (Tokyo)* 3, no. 11
(1961).

(1961). Barium salt, $C_{10}H_{14}BaN_4O_8P$. Hemipentadecahydrolustrous leaflets. Becomes anhyd at 100° *in vacuo* or 18.5° (0.3 g of anhyd Ba salt in 10 ml of 2.5% HCl). USE: Its salts as flavor intensifiers, like sodium glutamate or other salts: Toi *et al.*, U.S. pat. 3,109,741 (to A. Ajinomoto).

5008. Inositol. *myo-Inositol; meso-inositol; i-inositol*; hexahydroxycyclohexane; cyclohexanehexol; cyclohexanehexose; meat sugar; inosite; mesoinosite; phaseomannite; diancucite; bios I; rat antspectacled eye factor; mouse antpecic factor. $C_6H_{10}O_6$ mol wt 180.16. C 40.00%, H 5.56%, O 53.28%. Widely distributed in plants and animals. Growth factor for animals and microorganisms. Inositol heart muscle: Scherer, *Ann.* 73, 322 (1850); from *U. Woolley*, *J. Biol. Chem.* 139, 29 (1941). Synthesis: *W. J. Land*, *Wishart, Ber.* 47, 2082 (1914); *Anderson, Wall*, *Am. Chem. Soc.* 70, 2931 (1948). Obtained commercially from corn steep liquor, since inositol is present as phytin acid in corn: *Bartow, Walker, Ind. Eng. Chem.* 30, 1038 (1938); U.S. pat. 2,112,553 (1938); *Hoglan, Bartow*, *J. Am. Chem. Soc.* 62, 2397 (1940); *Elkin, Meadows, U.S. Pat. 2,414,365* (1947); *Brit. pat. 601,273* (1948 to *Com. Refining*). Nine possible stereoisomers: Seven are optically inactive or meso. Two optically active forms, the *l*-form, and several *cis,trans*-isomers occur naturally. The valent natural form is *cis*-1,2,3,5-*trans*-4,6-cyclohexanediol which is described here. *Reviews:* R. Beckmann, *Handbuch der Organischen Chemie* (Editio Cantor, Aulendorf, 1953); several authors in *Vitamins*, vol. 2, W. H. Sebrell, Jr., R. S. Harris, Eds., Academic Press, New York, 1954) pp 321-386; *ibid.* vol. 1, part 1, 1971) pp 340-415.

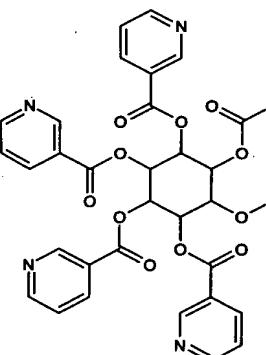


Anhyd, non-hygroscopic crystals from water or acid above 80°. Sweet taste. d 1.752. mp 225-227°.

inactive. Sol in water at 25°: 28 g/100 ml soln. Slightly sol in *ether* and other common organic solvents.

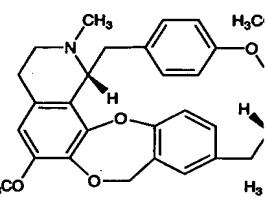
hydrate, efflorescent crystals from HgP mp 218°. Becomes anhyd at 1
anhydrosphosphate, $\text{C}_6\text{H}_{13}\text{O}_9\text{P}$. Prepn: *Helv. Chim. Acta* **12**, 1165 (1929);
Am. Prepn. **2**, 65 (1952). Crystall.
195-197°. Titrates as a dibasic
acid (1 g dissolves in 3 ml H_2O). P
sol, ether. Remarkably resistant to
strong alkali. May be hydrolyzed
by HCl for 14 hrs.

DEAP CAT: Vitamin B complex; lip
009. Inositol Niacinate. *myo-Inositol* (hexanicotinoyl inositol; he) is 4,6-cyclohexane; inositol hexaniacinate; Dilcit; Dilexpal; Niamid; Hexanicit; Hexopal; Lim-
 $C_6H_{30}NO_2$; mol wt 810.73. C 75.7%, O 23.68%. Prepn: Badgett, *J. Am. Chem. Soc.* 69, 2907 (1947).



ystals, mp 254.3-254.9°. Practically acids.

FRAP CAT: Vasodilator (peripheral)
010. Insularine. $C_{39}H_{40}N_2O_6$; H 6.50%, N 4.51%, O 15.46%
elos insularis Makino and *C. o-*
permaceae. Isolon: Kondo, Yanc
 815 (1927); Kondo, Tomita, *At-*
Structure: Tomita, Kikuchi, 1957



Morphous powder, $[\alpha]_D^7 +28^\circ$, mp 155°. Absorption spectrum: Ochai, J.

Q14: Insulin. Polypeptide hormone produced by beta cells that regulates carbohydrate metabolism by proteolysis from the single active dimer composed of mol wt ~6000. Regulates carbohydrate metabolism, and influences protein synthesis. The protein for which the chemical structure is determined. Also the first recombinant protein produced by recombinant